

Approved For Release 2002/05/07 : CIA-RDP83B00823R000900080011-6

29 OCT 1974

MEMORANDUM FOR: Secretary, CIA Management Committee

FROM : Deputy Director for Administration

SUBJECT : Coordination and Review of Manuscripts
Submitted for Publication by Former
Employees

1. Action Requested: That the Management Committee review the issue of submission, coordination, and review of manuscripts for publication by former employees and consider designating as the action office for the processing of such manuscripts the Office of Security, which would ensure coordination with the Directorates and, whenever legal or legislative matters indicate, with the Offices of General Counsel and Legislative Counsel.

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2. Background: Limitations on outside activities involving speeches and manuscripts are defined for employees in Headquarters Regulation [REDACTED]. The Regulation notes that activities such as speeches and articles for publication might reasonably be construed to affect the security of the Agency when they relate to (a) foreign intelligence, (b) national security, (c) Agency activities, and (d) matters of Agency policy or U.S. Government policy. It imposes a responsibility on the employee to obtain approval prior to publication whenever these topics are involved.

Specific procedures are spelled out in the Regulation for the review of papers or speeches, and the Deputy Director concerned is named as the approving authority. Cover and Commercial Staff and the Assistant to the Director are given appropriate roles in both the review and recommendation processes, but the Office of Security uniquely serves as a focal point to insure that all substantive issues are fully explored by the component of the Agency best fitted to assess the security damage disclosure might involve. The Office of Security always coordinates, where indicated, with the Office of General Counsel and the Office of Legislative Counsel.

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Former employees are not mentioned in the Regulation. Except for the terms spelled out in a very general way in the Termination Secrecy Agreement, e.g., "I will never....publish, or reveal by writing....any information concerning intelligence or CIA that has not been made public by CIA....without the express written consent of the Director of Central Intelligence or his representative," there is no verbal or written instruction on procedure provided former employees should they desire guidance in any of these areas. (For internal guidance the attached issuance is provided pending revision of existing regulations.) Nor is there designated an Agency official for former employees to query. They are, however, strongly encouraged during their exit processing to contact the Office of Security on all matters of security significance.

Experience to date has shown manuscripts can arrive via many different routes. Some from the outset have plainly indicated substantive legal ramifications and have been handled by the Office of General Counsel through either coordination with the Directorates or chairing an Agency task force. (The Marchetti [redacted] are examples of this.) Most manuscripts, however, do not present such overriding legal questions and can be adequately processed by the Office of Security acting as the focal point for coordination.

3. Staff Position: Because a security issue is here the primary concern, there appears no need to burden the Office of General Counsel in the absence of a legal issue. Since most employees put the question of public speaking or publication into a "security" context and are amenable to accepting reasonable security strictures without legal contest, it would appear that the clearest, most consistent approach to the question of publication would be to retain the Office of Security as the "focal point" for all manuscripts submitted. The Director of Security would, of course, ensure coordination with the Directorates as well as the Office of General Counsel and Legislative Counsel. Any contact with an author's lawyer would be handled by the Office of General Counsel and the Office of General Counsel would review all correspondence with authors.

4. Recommendation: That the Management Committee designate the Office of Security as the action office for the processing and coordination of all manuscripts submitted by

former employees for review prior to publication, with the understanding that the Office of Security will ensure coordination of all submissions with the Directorates and, whenever legal or legislative matters indicate, with the Offices of General Counsel and Legislative Counsel. It is further understood that the Office of General Counsel will be the Office of contact for an author's lawyer and will review all correspondence with authors.

/s/John E. Blake

John F. Blake
Deputy Director
for
Administration

Approved: _____

Date

Disapproved: _____

Date

Att

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O-DD/A-EO:LRM:jl/ (15 Oct 74)

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